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**TOWN OF GRAFTON**  
GRAFTON MEMORIAL MUNICIPAL CENTER  
30 PROVIDENCE ROAD  
(508) 839-5335 • FAX (508) 839-4602  
[www.grafton-ma.gov](http://www.grafton-ma.gov)

**DISABILITY COMMISSION**  
**(Regular Meeting)**  
**AGENDA / MEETING NOTICE**  
Thursday, November 18, 2021 – 6:30 p.m.  
Zoom Conference Link to join the webinar:

<https://us02web.zoom.us/j/83843100939?pwd=TjJVRUJPWk1kWUVSSE44OEpfZWU9Sdz09>

Passcode: 200398

Or Phone: 312-626-6799

Webinar ID: 838 4310 0939

Passcode: 200398

International numbers available: <https://us02web.zoom.us/j/83843100939?pwd=TjJVRUJPWk1kWUVSSE44OEpfZWU9Sdz09>

A copy of the Grafton Public Meeting Remote Participation Guidelines, dated March 24, 2020 (subsequently extended June 16, 2021) is attached to this agenda for reference. Please review the guidelines prior to joining the remote public meeting. We will be fielding questions via Chat feature. Also, written comments may be directed to [disabilitycommission@grafton-ma.gov](mailto:disabilitycommission@grafton-ma.gov)

**1. Announcements**

**2. External Correspondence**

**3. Meeting Minutes**

- 10/20/2021 (joint meeting with Cable Oversight Committee)
- 10/21/2021 (regular meeting)

**4. Project Updates and General Updates**

- Municipal Center
- Parking Fines Account
- Grafton Common
- Grafton Library

**November 18, 2021 Disability Commission Agenda continued:**

**5. Subcommittee Update - Disability Commission charge**

Kristie Proctor and Rob Polsinelli

**6. Old Business**

- Closed Captioning
- Any Other Old Business

**7. New Business**

- MA Office on Disability and Office of the Attorney General –  
November 2021 Webinar: Accessible Meetings for Municipalities
- Any Other New Business

**8. Next Meeting**

Regular Meeting - 3<sup>rd</sup> Thursday, December 16, 2021 at 6:30p.m.

**Adjourn**

Roger R. Trahan Jr., Chair

rtrahanjr@hotmail.com

508-335-0507



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## **PUBLIC MEETING REMOTE PARTICIPATION GUIDELINES**

March 24, 2020

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### **In Advance of Meetings:**

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- Supporting documents should be posted on the Town website and be available for members of the public.
- For meetings with public participation, encourage written public comments.

### **Essential Components for Remote Meetings:**

- Access to participate for a quorum of committee members at the time of the meeting.
- Ability to take minutes which accurately reflect the meeting and the votes taken.
- Ability to record meeting for playback (this is not required under the order, but is preferred)
- Ability to allow for real-time public participation/comments (this is not required under the order, but is preferred)
- Meetings with public hearings must provide access for third party participation to all members of the committee.

### **Identifying the Proper Medium to Conduct Meetings:**

While we are suspending the use of Municipal Center Conference Rooms and the local broadcasting equipment, there are alternatives for Boards and Committees to consider. Below are a few options available to Committees. There may be alternatives that members are more comfortable using which will be permitted so long as the essential components for all meetings are met through use of that medium.

- *Executive Town of Grafton Zoom Account with Webinar Functions* – this account was purchased by the Town Administrator's Office and has a webinar function for hosting meetings that require public participation/third party access for participation. This method is currently the preferred method and should be used by Boards and Committees that have hearings and require third party participation through public comments or from applicants seeking permits. (includes but is not limited to: Select Board, Planning Board, ZBA, CPC, School Committee, Conservation Commission)
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- *Free Conference Call Line*- For Boards and Committees that typically do not have recorded meetings and require little third-party interaction, the free conference call line is an option. This option does not have a record feature so accurate minute taking is critical.
- *Local Cable Access*- Currently, the town is not allowing for local cable access broadcast through the conference rooms in the Municipal Center. However, to the extent possible, local cable will be used if it is accessible and safe for staff, committee members, and members of the public.

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- The Chair or present support staff should adhere to the script provided as an attachment to this document for the purpose of properly recognizing members and providing information to the public. (This script is a draft/guide and should be tailored to your needs)
- The Chairman will identify him or herself.
- The Chairman will conduct a roll call of the Board.
- The Chairman will call the meeting to order.
- All participants (excluding Board members) will be muted throughout the meeting and must use the Q&A function.
- All participants are required to include their name and address when using the chat feature to pose a question through the Chairperson.
- All documents displayed throughout the meeting will be controlled by the present staff member or Chairperson.
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- If and when the Chairman allows for public comments/questions, it will be conducted in the following sequence:

1. The Chairman will read public comments/questions received in advance of the meeting followed by real-time Board and/or applicant responses.
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    - Computer participants must click on “Q&A” to enter their comment/question.
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# **Separator Page**

**October 20, 2021 Draft Minutes**



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**DISABILITY COMMISSION**  
**(Joint Meeting with Grafton Cable Oversight**  
**Committee)**

Wednesday, October 20, 2021 – 7:00 p.m.

Disability Commission joined Grafton Cable Oversight Committee's regular meeting to discuss closed captioning and any other accessibility-related enhancements.

Disability Commission Membership: Roger Trahan, Jr. (Chair), Daryl Rynning (Vice Chair), Kristie Proctor (Clerk), Robert Berger (Select Board Rep as elected or appointed town official), Catherine Dore, Robert Polsinelli, Laura Deneen.

Cable Oversight Committee Membership: James Gallagher (Chair), Robert Hassinger (Vice Chair), Robert DeToma (Clerk), Robert Berger, John Kelley, Corson Wyman, Lisa Kelley.

*Sorry, I missed the beginning and barely registered what was said in the beginning as I pulled up the document.*

**Roger**

**Kristie**

Happy to partner with the town.

We all acknowledge the ADA is 30 years old and time has come to explore solutions. Acknowledge expertise is not digital recordings for broadcast. Requirement to use cc videos for course curriculum at QCC.

Time to bring forward accessibility and cc for taping, production, and zoom meetings.

### **Laura**

For the benefit of the town.

### **Jim G**

Offer to tour the studio and see the equipment.

CC has always been on the front burner.

Bob has been working to research cc for the GCTV.

### **Bob Berger**

Can't produce or use the internet on the studio and don't have the equipment. Two different issues.

Hybrid meetings won't work for cc, only when zoom host is on screen and speaking.

### **Bob DeToma**

Some surrounding towns have reported back that they can't do it due to financial resources – understanding is that this VOD channel/platform it would not have CC; same with our youtube channel, it can be done but not perfect.

Would have to purchase equipment and then subscribe for \$15,000 a year per channel. Multiply times three.

Transcription is \$250.00 an hour for a live transcriber.

**Roger:** How autonomous is GCTV versus the town?

**Jim:** Not financed through the town, but the cable bill. We pay the town rent for the cable station room.

**Jack:** not able to begin captioning in the middle of the meeting. GCTV does not zoom. Does not offer playback. Doesn't capture the closed captioning.

**Laura** explained cc settings in advanced settings. Can't change once the meeting starts. Kristie and Jack agreed.

**Introduce Sony Padow** – Need CC to understand what is being said and is knowledgeable about cc. Especially zoom (free setting). Caveat – host has to enable for the session beforehand. Can provide instructions to anyone. WISE at Assumption University uses cc (Worcester Institute for Senior Education).

**Jim** thanked Sony for her assistance. We would like to share this information with the community.

**Amy Marr** – School Committee Chair – a challenge is that

- 1) at any time, the company can decide to charge for CC, so we {school committee} are using third party vendor for CC.
- 2) Several town zoom accounts so these hosts would need training on setting up the meeting for cc.

Thank you for your time.

**Bob** – both committees should ask the TA or Select Board to set a policy that the zoom meetings should be closed-captioned.

Budget for GCTV is \$325,000 annually. Don't have the money to do CC. Rent is \$150,000 a year.

**Jack** – Likes CC and wants to clarify the terminology about spending money on CC for the three Charter channels. We want this, it is just a means of being able to do this. CC available to those watching. Youtube, we have it enabled for board meetings and such.

**Kristie** - Help me understand...how can MA allow for this to occur in their mandate for each town to have a local TV station?

**Jim** – contract with Charter explanation – no centralized commonwealth.

**Daryl** – Telecommunications Act of 1996 not have an impact?

**Bob Hassinger** – FCC has not required cc for public access.

**Daryl** – how are cable operators and video distributors allowed to do this?

**Bob H** – these are the rules we got. Hybrid meetings are technologically challenging. We don't have that type of \$\$ at the present.

**Jim** – everyone at this committee has been interested in this for a long time.

**Laura** – DON't know the answer but there a lot of good minds who can help solve this. What worries me is the possibility that this exposure leaves the town vulnerable to lawsuit or legal action. Bring awareness of the cost of inaction and potential of an impending lawsuit.

**Roger** – Title II of the ADA for state and local governments, not sure how a cable station exists in a vacuum separate from the town? Can the town purchase capital equipment? Can things be installed from the town budget?

**Bob H.** - funding source as town? It could work.

**Roger** – hypothetical example with chairs for the conference room and town lent chairs to the studio....

**Bob H** – would love for Evan to put money in our budget.

**Lisa** – This is the right thing to do, not because we might be sued – can we plan and look for grants?

**Jim** – Yes – let's get things moving and tour the studio to begin. Bringing us together certainly gets the ball rolling. Let's see what we have and what we can do. This is a right.

**Bob** – let's review what we discussed:

1. Five town zoom accounts with little control over how they are run
2. Willing to pursue a conversation with TA about this topic
3. Discussed re-broadcast of town meeting can have the cc turned on
4. Research apps and software to use with broadcast equipment which are compatible
5. We have two studios but not adaptable to the hybrid model.
6. Our cable attorney who negotiates our contracts with Charter specializes in cable law. Ask him for insight on this. Despite the 30 year old ADA there are many loopholes. How do we pursue this going forward?

**Roger** - we all agree that Bob DeToma will speak with Evan Brassard about this issue or Bob Berger?

**Jim** – that is a great idea for both Bob's to speak with Evan. Also, make sure Sony is used to spread this message.

**Bob H.** - the plan starts with what is possible and looking at the cost...

**Jim** – talking about what we should do since this is the right thing to do.

**Roger** – unique aspect of town meeting, spoke with Dawn Anderson to encourage her to reach out to statewide organization of town moderators to explore solutions for cc town meetings.

**Daryl** – Money and having a plan – good idea to figure out how much things are going to cost and we could as a commission explore grants for this type of endeavor.

**Laura** – will call the commission tomorrow and ask about grants for towns for cc.

**Roger** noted time to adjourn the Disability Commission.

**Action:** Daryl made a motion to adjourn the Disability Commissions portion of the meeting. Bob Berger seconded.

No discussion on motion to adjourn.

Roll call vote:

DR	Yes
KP	Yes
RP	Yes
LD	Yes
CD	Yes
RT	Yes

Roger declared the motion passed unanimously. The meeting was adjourned at 8:12 pm

Respectfully Submitted,

Kristie Proctor

# **Separator Page**

**October 21, 2021 Draft Minutes**



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**DISABILITY COMMISSION**  
**(Regular Meeting)**

Thursday, October 21, 2021 – 6:30 p.m.

Chair Roger Trahan opened the meeting and called to order at 6:36 PM. Trahan read the Grafton Public Meeting Remote Participation Guidelines, dated March 24, 2020 (subsequently extended June 16, 2021). We will be fielding questions via Chat feature. Also, written comments may be directed to [disabilitycommission@grafton-ma.gov](mailto:disabilitycommission@grafton-ma.gov)

**Present:** Daryl Rynning joined at 7:07 pm, Catherine Dore joined at 6:43 pm, Rob Polsinelli, Kristie Proctor, Bob Berger, Roger Trahan, Chair

**Absent:** Laura Deneen  
Attendance by roll call:

Daryl Rynning	
Kristie Proctor	Y
Catherine Dore	
Laura Deneen	
Rob Polsinelli	Y
Robert Berger	Y
Roger Trahan	Y

**1. Announcements**

Rob Polsinelli shared that former Grafton resident Chaz Davis was the first, first-place winner in the Para-Athletic vision impaired division in the 125<sup>th</sup> Boston Marathon on Monday, October 11. Chaz Davis now lives in Brighton. Congratulations!

## **2. External Correspondence**

None

Catherine Dore joined the meeting at 6:43 PM.

## **3. Meeting Minutes (September 30, 2021)**

**Action:** Rob Polsinelli made a motion to approve the meeting minutes; Bob Berger seconded. Discussion to edit the minutes.

Daryl Rynning	
Kristie Proctor	Y
Catherine Dore	Y
Laura Deneen	
Rob Polsinelli	Y
Robert Berger	Y
Roger Trahan	Y

Chair Trahan declared the motion passed 5-0.

## **4. Old Business**

- **MA Office on Disability's Municipal ADA Improvement Grant program FY 2022**
  - Grafton Public Schools (submitted prior to 10/8/2021 deadline)
    - ADA Self-Evaluation \$35,000 request
    - S. Grafton Elementary School playgrounds \$280,000 request
  - Grafton Public Library – assistive technology (submitted prior to 10/8/2021 deadline) \$52,776.25 request. Beth Gallaway and Kristie Proctor collaborated on writing the grant. The announcement will be made in December regarding its status. Kristie described the grant scope for purchasing assistive technology for users with vision impairments/blind and training for the library staff. The grant items include ZoomText software, large screen monitors, and software licenses.

- **Project Updates**

- Grafton Library - finally open as of 10/12/2021 with a temporary Certificate of Occupancy; currently landscaping the portion of the lawn facing the Common. Some furniture is on backorder. Three items are needed to be properly working to obtain a permanent Certificate of Occupancy.
- Any other project updates? The Common walkways look terrific.
- Mr. Berger followed up with information about the funds in the parking ticket account for handicapped spaces. The Town Accountant reported that the account has \$700.

Daryl Rynning joined the meeting at 7:07 pm.

- **Closed Captioning of meetings** (and recap of 10/20/2021 joint meeting with Grafton Cable Oversight Committee)

Roger Trahan reported that Kristie Proctor provided the draft meeting minutes from last night to the committee. Bob DeToma and Bob Berger will speak with Town Administrator Evan Brassard about our legal obligations to comply with the ADA.

Bob Berger talked with Evan Brassard, Town Administrator, today about instructing meeting chairs to set the meeting settings to close-caption town meetings. Bob DeToma is looking at variances to comply with ADA until such time the equipment is in place to close-caption (CC).

Daryl Rynning is looking forward to planning for the CC and how we can help with grant-writing and securing resources. Rob Polsinelli sent Roger Trahan an email today about how neighboring towns are closed-captioning their town meetings. MCD (Mass Commission for the Deaf) offers free trainings/services to towns. Gave an example from Mansfield. Daryl said that many companies offer these types of services and consultation to towns.

Bob Berger suggested we try this all for one channel (government) as a beta-test before we purchase equipment for all three channels.

Kristie is working with Joann Duncan in the Select Board's office to ensure that all town meetings are set up for closed-captioning.

Daryl brought up the live meetings do not accommodate captioning or transcriptioning, either. Need for a transcriptionist. Especially for town meeting twice a year. Roger offered the idea of sharing tablets with the software to display the captioning for town meeting participants who request CC.

Bob Berger mentioned the hearing assist equipment at the high school auditorium, and Conference Rooms A and F. What can we achieve at the next town meeting?

- Hearing assist
- Sign Language Interpreter

Reminder to include the invitation to ask for accommodations to fully participate in a meeting/event in advance. Advertise in print and on the web.

- **Fall Town Meeting logistics** (10/18/2021)  
Roger attempted to ensure that the closed captioning was in place but it never came together. Masked speakers made it a struggle to hear. Bob Berger shared the Town Clerk's web site advertising the Town Meeting – no notice or invitation to request accommodations – who is responsible? Discuss Bob's role as the ADA Compliance Officer versus the accommodation specialist (Grafton does not have this position).
- **Disability Commission charge** – review of terminology / language  
Is scope too broad?  
Item #2 of the charge.  
Kristie suggested we throw out the charge and change the focus to the town's obligation to make an accessible environment.

**Action:**

Daryl made a motion: *Kristie Proctor and Rob Polsinelli will be a subcommittee, who will amend the Disability Commission's charge to reflect the current need to create accessible, inclusive, and welcoming environments to persons with disabilities in the Town of Grafton.*

Catherine Dore seconded.

Daryl Rynning	Y
Kristie Proctor	Y
Catherine Dore	Y

Laura Deneen	
Rob Polsinelli	Y
Robert Berger	Y
Roger Trahan	Y

Roger declared the motion carried by a vote of 6-0.

## **5. New Business**

- Jen Anderssen – Kristie will reach out to her about the accessibility needs of *Grafton Celebrates the Holidays*.
- Follow-up with Evan Brassard about a library tour now that the building is open and furniture is in place - Kristie and Daryl.

## **6. Next Meeting**

Regular Meeting - 3<sup>rd</sup> Thursday, November 18, 2021, at 6:30p.m.

**Action:** Bob Berger made a motion to adjourn the meeting; Daryl Rynning seconded. Chair Trahan took a vote:

Daryl Rynning	Y
Kristie Proctor	Y
Catherine Dore	Y
Laura Dineen	
Rob Polsinelli	Y
Robert Berger	Y
Roger Trahan	Y

Chair Trahan declared the motion passed, 6-0. The meeting adjourned at 8:02 PM

## **Adjourn**

Respectfully submitted,  
Kristie Proctor, Recording Secretary

Link to the 10-21-2021 Meeting Packet

[https://www.grafton-ma.gov/sites/g/files/vyhlif4461/f/pages/final\\_disability\\_commission\\_meeting\\_packet\\_10.21.2021.pdf](https://www.grafton-ma.gov/sites/g/files/vyhlif4461/f/pages/final_disability_commission_meeting_packet_10.21.2021.pdf)



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# **Separator Page**

## **Grafton Common Update**

**(includes bandstand-gazebo change order #1 for \$114,480.00)**

Documents were part of Select Board meeting packet for November 16, 2021.

**From:** [Scarlett, Paul](#)  
**To:** [Cindy Ide](#); [Evan Brassard](#); [carlsonp@graffton-ma.gov](mailto:carlsonp@graffton-ma.gov)  
**Cc:** [Andy Deschenes](#)  
**Subject:** Historic Grafton Common Improvements Project  
**Date:** Thursday, November 11, 2021 4:33:08 PM  
**Attachments:** [image003.png](#)  
[Change Order 1 - Bandstand Improvements.pdf](#)  
[Change Order 2 - Backflow Preventer.pdf](#)

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In preparation for our discussion at Tuesday's Select board meeting, please find attached two proposed change orders for Select Board consideration. Change Order #1 relates to improvements to both restore and make the bandstand accessible. Change Order #2 is involves the installation of a backflow preventer associated with the irrigation/sprinkler system on the Common.

Both change orders represent much needed work one having been identified by the town via an accessibility review completed last year (bandstand) and the other by the Grafton Water District as a requirement of the EPA (backflow preventer).

Both change orders can easily be accommodated within our existing project budget and will provide the town with much needed updates that would otherwise need to be addressed by some other funding mechanism.

Andy and I look forward to meeting with you to discuss these items, address any questions you may have, and to provide an overall update on the status of the project. Thank you for your time and consideration.

**Paul A. Scarlett**

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To: JAM Corporation  
P.O. Box 60118  
Worcester, MA 01606

Project Name: Grafton Common Improvements  
Grafton, MA 01519  
Project No.: 2021-2

Attn: PJ Tonelli

Date: November 10, 2021

Contract Date: May 12, 2021

Eng.: Graves Engineering, Inc.

Owner: Town of Grafton

The Contract is changed as follows:

<u>Contractor CO#:</u>	<u>Description of Change</u>	<u>Amount</u>
CO #1	Per architectural drawings by Dixon Salo Architects dated 09/09/2021 and revised per JAM estimate #10234 and dated 09/21/2021, repair and enhancements to the existing Bandstand.	\$114,480.00

<u>Total Change By This CO:</u>	<u>\$114,480.00</u>
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\*\*\*NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR\*\*\*

The original Contract Sum was	\$297,119.00
Net change by previously authorized Change Orders	\$0
The Contract Sum prior to this Change Order was	\$297,119.00
The Contract Sum will be increased by this Change Order by	\$114,480.00
The new Contract Sum including this Change Order will be	\$411,599.00
The original date of Substantial Completion was	08/31/2021
The Contract Time will be changed by	(99) days
The date of Substantial Completion of the date of this CO therefore is	01/17/2022

CONTRACTOR  
JAM Corporation  
P.O. Box 60118  
Worcester, MA 01601

OWNER  
Town of Grafton  
30 Providence Road  
Grafton, MA 01519

\_\_\_\_\_  
By:

\_\_\_\_\_  
By:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Date:

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### Change Order Cost Breakdown:

-Administration/office-time/submittals/onsite supervisor, etc.:	\$9,200
-Mobilization/delivery of materials/staging:	\$3,100
-Site/setup/security/removal of existing fencing:	\$4,255
-Landscape removal / disposal:	\$2,100
Labor: \$1600 -disposal \$500	
-Carpentry demolition:	\$3,650
Labor: \$3400 disposal: \$250	
-Excavation of soils:	\$1,850
Labor: \$1600 disposal \$250	
-Floor joist replacement:	\$4,540
Labor \$2870 material \$1670	
-Perimeter joist replacement:	\$2,653
Labor \$1800 material \$853	
-New Composite decking (Trex):	\$10,324
Labor \$4224 material \$6100	
-Painting/surfacing (sub Contractor):	\$11,400
-installation gravel base:	\$2,740
Labor \$2000 material \$740	
-Electrical / lighting (subcontractor):	\$8,500
-Concrete wet set bricks at sloped sidewalk	\$5,500
Labor \$3575 material \$1925	
-Install concrete walks:	\$7,400
Labor \$6500 material \$900	
-Custom Railings (Subcontractor):	\$11,400
-Replace 4 of 8 posts:	\$2,549
Labor \$1800 material \$749	
-Replace wood roof shingles:	\$16,173
Labor \$9700 material \$6473	
-Cupola to remain – resurface and paint existing	
-Installation new step:	\$650
-New landscaping to finish:	\$3,580
Labor \$2500 material \$1080	
(includes loam seed to repair damages,	
6 panicle hydrangea, 6 boxwood, mulch)	
-De-mobilization/site stabilization:	\$2,916
<b>Job total:</b>	<b>\$114,480</b>

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To: JAM Corporation  
P.O. Box 60118  
Worcester, MA 01606

Project Name: Grafton Common Improvements  
Grafton, MA 01519  
Project No.: 2021-2

Attn: PJ Tonelli

Date: November 10, 2021

Contract Date: May 12, 2021

Eng.: Graves Engineering, Inc.

Owner: Town of Grafton

The Contract is changed as follows:

<u>Contractor CO#:</u>	<u>Description of Change</u>	<u>Amount</u>
CO #2	Per sketch by JAM Corporation based on description by Paul Cournoyer (ToG), new backflow preventer and connection.	\$12,190.00

<u>Total Change By This CO:</u>	<u>\$12,190.00</u>
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\*\*\*NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR\*\*\*

The original Contract Sum was	\$297,119.00
Net change by previously authorized Change Orders	\$114,480.00
The Contract Sum prior to this Change Order was	\$411,599.00
The Contract Sum will be increased by this Change Order by	\$12,190.00
The new Contract Sum including this Change Order will be	\$423,789.00
The original date of Substantial Completion was	08/31/2021
The Contract Time will be changed by	(99) days
The date of Substantial Completion of the date of this CO therefore is	01/17/2022

CONTRACTOR  
JAM Corporation  
P.O. Box 60118  
Worcester, MA 01601

OWNER  
Town of Grafton  
30 Providence Road  
Grafton, MA 01519

\_\_\_\_\_  
By:

\_\_\_\_\_  
By:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Date:

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Change Order Cost Breakdown:

Piping and fittings:

1" 74758Q COMP UNION LEAD FREE 4 EA	
1"X3/4" 74754 COMPXFIP NL 4 EA	
1" Q QUARTER BEND COMP X COMP 6 EA	
1" Q MIP X COMP MALE ADAPT 3 EA	
1" MCD NO LEAD 72032T BALL VALVE 2 EA	
1X60 TYPE K COPPER TUBING 60 FT	
WATTS BACKFLOW 1" 1 EA	\$3457.19

<u>Shipping From OH (back flow)</u>	\$220.00
<u>8 yards Crushed stone</u>	\$420.00
<u>14 yards subgrade fill</u>	\$530.00
<u>Loam &amp; seed</u>	\$425.00

<b><u>TOTAL MATERIAL =</u></b>	<b><u>\$5,052.19</u></b>
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**Prevailing Wage Labor=**

<b>3 men X 16 hours =42 man hours @ \$132.50/hr</b>	<b>\$5565.00</b>
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<b>Supervisor / administration :</b>	<b>\$972.81</b>
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<b>Police detail :</b>	<b>\$600.00</b>
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<b>Project total :</b>	<b>\$12,190.00</b>
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# **Separator Page**

## **Disability Commission Charge**

Documents include:

- Disability Commission Subcommittee email of November 11, 2021 and draft changes.
- Disability Commission's current charge (last updated August 13, 2019).
- MA General Laws, Chapter 40, Section 8J (Disability Commission; Powers and Duties; Members; Terms).


## Draft Disability Commission Mission

Kristen Proctor <kproctor@qcc.mass.edu>

Thu 11/11/2021 8:30 PM

To: roger trahan, jr <rtrahanjr@hotmail.com>

Cc: Rob Polsinelli <karmpol@gmail.com>

 1 attachments (24 KB)

Disability Commission Mission Draft 11-11-21.docx;

Hello Roger,

Rob Polsinelli and I have spent the last two weeks working on this draft to present to the members of the Disability Commission. We respectfully request this item to be added to the November Commission's meeting agenda.

### Background:

Rob and I have researched other town's mission statements and thoroughly discussed what our mission in Grafton would look like. We noted language and ideas which could be included, then pared these down for the missions you see represented twice. The first mission is the most like the current mission, with updated language and retaining the name, "Disability Commission." The second statement includes the suggestion to change the name of our commission to the "Accessibility Advisory Commission" with the language contained in the bullets representing broader ideas and concepts.

Our hope is to share the document with commission members before the November meeting so that everyone can read and reflect on the contents. Rob and I encourage each member to think about how the commission's work can be, or is currently, represented in Grafton, and if that work is reflected in the mission statements. We anticipate that there will be discussion at November's meeting, and that it will continue to the December meeting as we adopt portions of the statements and/or marry together other aspects to create a mission statement.

Respectfully,

Kristie Proctor and Rob Polsinelli  
Disability Commission  
Grafton

### **Option 1: Revising the current charge**

The Grafton Disability Commission is committed to assuring that all people have the same opportunity to participate in all functions involving living, working, and enjoying recreational activities in Grafton. The Commission will work towards this end by informing, educating, monitoring, and advising the public, including the business community and the Town administration.

The Grafton Disability Commission shall consist of seven members appointed by the Select Board for overlapping three-year terms and be responsible to the Select Board through the Town Administrator.

Six (6) members shall consist of residents with disabilities, with immediate family members with a disability, with professional experience working with people with disabilities, and/or with an interest in this area. One (1) member shall be either an elected or appointed official of the town.

The purpose of the Commission shall be to ensure that the Town of Grafton is accessible and inclusive to people of all abilities. As such, this commission shall:

1. Advise and consult with municipal officials and employees, including the Town's ADA Coordinator, in compliance with state and federal laws and regulations that pertain to access and accessibility;
2. Review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of the Town of Grafton to ensure equal access for all our residents and visitors;
3. Conduct outreach and be responsive to areas identified as inaccessible, be they architectural, programmatic and/or attitudinal;
4. Provide information referrals, guidance, and technical assistance to individuals, public agencies, businesses, and organizations in matters pertaining to access and acceptance; and;
5. Educate those who live, work, or visit Grafton on ensuring accessible environments and programs.

The Commission shall meet...

## **Option 2: Starting Fresh**

Option to change name: the ***Accessibility Advisory Commission***

The Grafton Disability Commission is committed to assuring that all people have the same opportunity to participate in all functions involving living, working, and enjoying recreational activities in Grafton. The Commission will work towards this end by informing, educating, monitoring, and advising the public, including the business community and the Town administration.

The Grafton Disability Commission shall consist of seven members appointed by the Select Board for overlapping three-year terms and be responsible to the Select Board through the Town Administrator.

Six (6) members shall consist of residents with disabilities, with immediate family members with a disability, with professional experience working with people with disabilities, and/or with an interest in this area. One (1) member shall be either an elected or appointed official of the town.

The purpose of the Commission shall be to ensure that the Town of Grafton is accessible and inclusive to people of all abilities. As such, this commission shall:

- Ensure that all Grafton residents, visitors, and workers of all abilities have equal access to programs and services;
- Foster equal access to community life by ensuring an inclusive, welcoming environment;
- Consult with other public and private entities to ensure many and varied perspectives are taken into consideration on decisions impacting civic and community life;
- Voice their concerns and opinions to promote an inclusive community;
- Encourage and value communication with community members regarding accessibility, barrier removal, and disability awareness by conducting outreach activities, collaborating with community partners, and other activities as deemed appropriate.

The Commission shall meet...



**Town of Grafton**  
30 Providence Road  
Grafton, MA 01519  
(508) 839-5335  
[www.grafton-ma.gov](http://www.grafton-ma.gov)

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## **DISABILITY COMMISSION**

### **CHARGE**

The Grafton Disability Commission is to assure that all people in Grafton have and equal opportunity to participate in all functions involving living, working and enjoying recreation activities. The Commission will work toward this end by informing, educating, monitoring and advising the public, including the business community and the Town administration.

The Grafton Disability Commission shall consist of seven members appointed by the Select Board for overlapping three year terms and be responsible to the Select Board through the Town Administrator.

Six (6) members shall consist of people with disabilities, people with and immediate family member with a disability, residents with professional experience working with people with disabilities, and/or residents with an interest in this area. One (1) member shall be either an elected or appointed official of the town.

The purpose of the Commission shall be to cause the full integration and participation of people with disabilities in the Town of Grafton, such commission shall:

1. Advise and assist municipal officials and employees with state and federal laws and regulations that affect people with disabilities;
2. Coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts Office on disability;
3. Review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of the Town of Grafton as they affect people with disabilities;

4. Provide information referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and
5. Help raise awareness and sensitivity to the needs of the people who are disabled.

The Commission shall meet at least once every month. Minutes will be kept and filed with the Town Clerk for posting.

Approved: October 7, 2008

Updated: August 13, 2019

<b>Part I</b>	ADMINISTRATION OF THE GOVERNMENT
<b>Title VII</b>	CITIES, TOWNS AND DISTRICTS
<b>Chapter 40</b>	POWERS AND DUTIES OF CITIES AND TOWNS
<b>Section 8J</b>	DISABILITY COMMISSION; POWERS AND DUTIES; MEMBERS; TERMS

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Section 8J. A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (2) advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; (5) provide information, referrals, guidance and technical assistance to individuals, public agencies,

businesses and organizations in all matters pertaining to disability; (6) coordinate activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than 5 and not more than 13 members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be

chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

# **Separator Page**

## **Closed Captioning**

October 20, 2021 email from Disability Commission member, Rob Polsinelli to Chair, Roger Trahan

(following 10/20/2021 joint meeting of Disability Commission and Cable oversight Committee, and prior to Disability Commission's 10/21/2021 regular meeting)

## Closed Captioning leads

Rob Polsinelli <karmpol@gmail.com>

Wed 10/20/2021 9:06 PM

To: roger trahan, jr <rtrahanjr@hotmail.com>

Hi Roger,

I thought I would take a quick look to see if there were any possible leads that we could discuss or research further if they appear worth exploring. I found the following pretty quickly. I am sure there is more out there, but perhaps this could be a start of a list of topics to investigate and/or share with the Cable Commission for them to consider as they are certainly more knowledgeable about the tech involved.

1. Town of Concord, MA. Article references they use closed captioning (in 2018). I am not sure who Mr. DeToma already contacted, but they might be worth suggesting someone reach out to Concord Cable if they still are doing it. It could simply be that they just decided to cover the cost and are paying what Mr. DeToma quoted, but it could be a different solution, too.  
<https://www.mma.org/concords-effective-governance-workshop-prepares-volunteers-for-town-service/>
2. Town of Stowe, MA. They use Zoom and the CC option that Sony and Laura (I believe) were describing, but there is also a "save captions" option that will create a document of everything it CC'ed during the meeting. If you forward to minute 33 in this presentation, she references how you can set Zoom up to do this. I don't know if having that would make applying closed caption to the "TV" version easier/cheaper.  
<https://www.mma.org/select-board-group-discusses-the-future-of-public-meetings/>
3. Someone in Mansfield, 10 years ago, used a voice recognition software and "related tech" to make CC possible for TV meetings. The article has next to no info, but this could be a lead to investigate as an alternative to the traditional CC service.  
<https://www.mma.org/cable-station-adds-feature-for-hearing-impaired/>
4. MA Commission for the Deaf and Hard of Hearing offers a free in service or training by request, so I think we could, if we decided it would be beneficial, ask them to come to help us figure out how to improve access to our public meetings (both on GCTV and in-person). See bullet point 5:
  - **Providing Communication Accessible Programs and Services** - specifically geared towards state and public agencies, with a focus on providing effective reasonable accommodations and communication access solutions.  
<https://www.mass.gov/forms/request-free-inservice-or-educational-training>

Final thought. Are ACRA Funds possible for these services? I know there were options for using the funds to purchase technology, but I am less confident in the ability to use them for services. I can run through the literature on that some more tomorrow before our meeting.

Again, just a peek, but we can discuss tomorrow if you think any warrant further consideration.

Thanks and see you then,  
Rob

## **Separator Page**

**PowerPoint Slide Deck from MA Office on  
Disability's November 2021 Webinar:  
Accessible Open Meetings for Municipalities**

**Commonwealth of Massachusetts  
Massachusetts Office On Disability  
and Office of the Attorney General**



## **Accessible Open Meetings for Municipalities**

Julia O'Leary, General Counsel, MOD  
Ann Lynch, Assistant Attorney General

2021





## What will we cover?



- ✓ **Overview of Disability Laws**
- ✓ **Reasonable Modifications/Accommodations**
- ✓ **Best practices**
  - ✓ **for in-person meeting accessibility**
  - ✓ **for remote meeting accessibility**
- ✓ **Resources**



# Disability Laws Overview



## ■ Federal Laws & Regulations

- ✓ The Americans with Disabilities Act (ADA) of 1990
- ✓ The ADA Amendments Act (ADAAA) of 2008
- ✓ Section 504 of the Rehabilitation Act of 1973

## ■ Massachusetts Disability Laws & Regulations

- ✓ Massachusetts Constitution, Article 114
- ✓ Massachusetts Equal Rights Law – G.L. c. 93, Sec. 103
- ✓ Public Accommodation – G.L. c. 272, Sec. 92A & Sec. 98
- ✓ Service Animals – G.L. c. 272, Sec. 98A



## **What is a disability under the ADA?**



**The term “disability” under the ADA means**

- 1) a physical or mental impairment that substantially limits one or more major life activities of an individual;**
- 2) a record of such an impairment; or**
- 3) being regarded as having such an impairment.**



## ADA Title II



**“No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”**

**42 USC 12132**

**Bottom line:** State and local governments cannot discriminate on the basis of disability and their programs, buildings, and services must be made accessible to people with disabilities. This may mean providing a reasonable accommodation upon request.



## Title II Obligations



Public entities:

- ✓ May not refuse participation based on disability
- ✓ Must provide an integrated setting to ensure equal opportunity
- ✓ Eliminate unnecessary eligibility standards or rules that deny equal opportunity
- ✓ Must provide reasonable modifications to policies and practices
- ✓ Should enact Grievance Procedures to respond to Title II discrimination complaints



# Massachusetts Laws



- Track Federal laws
- Sometimes provide more protections

Example:

c. 272, sec. 98A: provides for a penalty of up to \$300 for denying a person with a guide dog access to a place of public accommodation



## What is a Reasonable Modification?

- **Any adjustment or alteration to the public entities' policies, practices, or procedures, that enables a person with a disability to access the government service, program, or activity**

### **Examples:**

- Auxiliary (communication) aids or services
  - Ensuring that electronically-published materials are accessible to people using screen readers
  - Providing American Sign Language interpreters during meetings or events
- Removal of barriers
  - Install automatic door paddles in areas used by members of the public
  - Move meeting to a physically accessible location
- Reasonable modifications of policies, practices, and procedures
  - Allowing Service Animals to accompany constituents visiting agency offices or events
  - Remote participation in meetings



## **Responding to requests for Reasonable Modifications**



- **Determine the nature of the request: is the person asking for a reasonable modification?**
  - **Is the person with a disability asking for a change to agency service, program or activity to be able to access the program?**
  
- **Would the reasonable modification fundamentally alter the nature of the municipality's service, program or activity?**
  - **If no, then provide it.**
  - **If yes, then have a discussion about alternatives (this is sometimes referred to as an interactive process or dialogue)**



## **Best Practices for all Public Meetings**

- Regularly train municipal staff and board/committee members on the laws related to accessibility for people with disabilities
- Think proactively about accessibility
- On public meeting notices, include contact information for the municipality's ADA Coordinator, so members of the public know who to contact for reasonable accommodations/modifications
- To the extent possible, ensure that information about a meeting posted on the municipality's website, including presentation materials, are accessible to and usable for people with disabilities.
- If showing a video or image (photo, chart, diagram, map, etc.) as part of the meeting, be sure that there are audio descriptions of video/photo images



## **Requesting CART/ASL interpreters**

### ■ **What is Communication Access Realtime Translation (CART)?**

- Communication Access Realtime Translation
- Real-time captioning performed by a professional (either in person or virtually)

### ■ **What is an ASL Interpreter?**

- American Sign Language Interpreters provide live sign language interpretation (either in person or virtually)

### ■ **How to request CART/ASL**

- Massachusetts Commission for the Deaf and Hard of Hearing provides a statewide Interpreter and CART Referral Service
- Requests should be made 2 weeks in advance if possible to ensure availability
- Requests can be cancelled 2 business days prior to the event



## **Best Practices for In-Person Meetings: No Segregation**



- **No Segregation: Meetings should be held in a space that is physically accessible to all**
  - **Meetings should be held in the most integrated setting appropriate to the needs of individuals with disabilities.**
  - **A separate accessible space should only be offered if a separate setting is necessary to allow access (otherwise, must be integrated).**



## **Best Practices for In-Person Meetings: Physical accessibility**



### ■ **Physical Accessibility:**

- **Consider the 2010 ADA Accessibility Standards/MAAB Standards**
- **Hold meetings in buildings that are accessible; try to hold meetings on the first floor when possible**
- **Ensure that hallways, meeting rooms are free from obstructions**
- **Remember related concerns such as bathrooms and parking**
- **If providing seating, ensure that there are gaps in the seating arrangement to allow for a person with a wheelchair**
- **Consider taking advantage of the Municipal ADA Grant to make town buildings more accessible**



## **Best Practices for In-Person Meetings: Programmatic Accessibility**



- **Programmatic Accessibility: modify policies/practices/procedures to allow participation**
  - You do not need to make alterations that would fundamentally alter the public meeting
  - Allow service animals to accompany people with disabilities to public meetings
  - Consider adding assistive listening systems to conference rooms to improve sound quality for people using hearing devices



## **Best Practices for Remote Meetings**

- **Consider accessibility features when choosing a teleconference platform:**
  - Is there an option for captioning? What is the accuracy of captioning?
  - Is there an option to “pin” the speaker’s video?
  - Is the software compatible with screen readers?
  - Is the software easy to use for users who have difficulty with point-and-click?
  - If members of the public are allowed to speak at the meeting, consider how you will call on people, and what accommodations can be made for people who cannot use the “hand raise” feature—have a designated board member/staff member be responsible for calling on people and checking to see if anyone has their actual hand raised or is otherwise indicating desire to speak (I.e. through chat)



## **Resources: MA Attorney General's Office**



**Ann E. Lynch**

**Disability Rights Coordinator/Assistant Attorney General**

**MA AGO's Civil Rights Division**

**(413) 523-7710**

**[ann.lynch@mass.gov](mailto:ann.lynch@mass.gov)**



## **Resources: MA Office on Disability**



**Julia E. O'Leary**  
**General Counsel**  
**Massachusetts Office on Disability**  
**857-214-1081**  
**[Julia.e.oleary@mass.gov](mailto:Julia.e.oleary@mass.gov)**



# Resources



- [WCAG Guidance on Accessible Remote Meeting Platforms](#)
- [Considerations for People who are Deaf and Hard of Hearing at Remote meetings](#)
- [DOJ's Title II Technical Assistance Manual](#)
- [Municipal ADA Grant Program](#) (source of funding for accessibility improvements)
- [Massachusetts Commission for the Deaf and Hard of Hearing](#)
  - [Requesting an Interpreter](#)